REMARKS

Claims 1-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 99/14972 (hereinafter "'972") in view of Montgolfier (U.S. Patent Application Publication Number 2002/0004371 A1). Respectfully disagreeing with these rejections, reconsideration is requested by the applicants.

Regarding the rejection of claim 1, the Examiner cites '972 page 1, lines 15-20. Including an additional portion for context, '972 page 1, lines 9-20 reads (emphasis added):

> In cellular radio systems, there is known a so-called handover procedure, according to which a data transmission connection between a mobile station and the stationary parts of the system is routed to pass via a new base station, when the connection through the old base station becomes too weak or has too much interference. For instance in a GSM system (Global System for Mobile telecommunications), each base station transmits a signal in a given so-called BCCH channel (Broadcast Control Channel), in which case the **mobile stations measure the power of the received BCCH signals and determine on the basis thereof which cell is the most profitable for the quality of the radio connection.** The base stations also inform the mobile stations of the **BCCH frequencies** used in the adjacent cells, so that the mobile station know what frequencies they must listen to **in order to find the BCCH transmissions of the adjacent cells.**

In contrast to transmitting a **control** channel that MSs use to determine which cell is the most profitable for the quality of the radio connection, claim 1 recites "transmitting **the dispatch call** via the first outbound link to a plurality of mobile stations (MSs)" (emphasis added). Thus, the applicants submit that '972, as cited by the Examiner, does not teach the transmission of a dispatch call by the BCCH.

Claim 1 also recites "**determining** a first MS of the plurality of MSs should begin a **soft handoff via a second outbound link** with an adjacent base site" (emphasis added). The applicants submit that '972, as cited by the Examiner, does not teach determining that an MS should begin a soft handoff via a second outbound link. '972 teaches determining which **cell** is the most profitable for the quality of the radio connection. It does not disclose determining a second outbound link (at some cell, e.g.) with which the first MS should begin a soft handoff. Instead, the applicants submit that '972 teaches informing MSs of BCCH **frequencies** used in adjacent cells, not

determining an outbound link with which the first MS should begin a soft handoff.

Claim 1 also recites "**subsequent to the step of determining**, indicating to at least one of the plurality of MSs in addition to the first MS the **identity of the second outbound link and the identity of the adjacent base site**" (emphasis added). The applicants submit that '972, as cited by the Examiner, does not teach determining an MS should begin a soft handoff via a second outbound link **before** indicating the identity of the second outbound link and the identity of the adjacent base site to multiple MSs. Instead, '972 teaches that the base stations inform the mobile stations of the BCCH frequencies used in the adjacent cells, so that the mobile stations know what frequencies they must listen to in order to find the BCCH transmissions of the adjacent cells. '972 also teaches that the mobile stations measure the power of the received BCCH signals and determine on the basis thereof which cell is the most profitable for the quality of the radio connection. The BCCHs do not appear to be outbound links with which a soft handoff should begin.

Regarding the rejection of claim 16, these same arguments apply to the corresponding (albeit for an apparatus) claim language. The Examiner additionally cites '972 page 14, 5-20; however, the applicants submit that the same arguments above for the determining step apply to this portion of '972 as well. Lastly, regarding the citation of '972 page 7, lines 31-36, the applicants refer the Examiner to our discussion below in the paragraph that begins, "Claim 10 also recites...."

Regarding the rejection of claims 10 and 20, the Examiner cites '972 page 7, lines 30-35 and page 7, lines 15-25. Including some additional text for continuity, '972 page 7, lines 15-35 reads (emphasis added):

> Figure 6 illustrates a mobile station 600 which receives signals transmitted by the base stations 601, 602 and 603, particularly signals transmitted on a so-called broadcasting **control channel** BCCH. Each base station uses in its BCCH transmission a given transmission power which in the illustration is marked with symbol Ptx - BCCHj, where the subindex i obtains values 1, 2 and 3 with respect to the base stations 601, 602 and 603. The signals transmitted by the base stations fade in different manners on their way to the mobile station 600, which receives them at powers Prx - BCCHi, where the subindex i obtains values 1, 2 and 3. The mobile station 600 calculates the pathlosses LiPI per each base station.... Because the pathloss LjP1 is defined as a ratio, it has no unit. The knowledge as to **which BCCH transmission of the base stations it should receive**, the mobile station 600 obtains from the **current base station that includes in its transmission a list of the surrounding base stations in a known way**. If the BCCH transmission power of the base stations is not constant in the system, the mobile station also obtains knowledge of the BCCH transmission power Ptx - BCCHj used by each base station in a known way. The mobile station compiles a candidate list of all such base stations whose calculated pathloss is for the amount of a so-called

handover marginal lower (and parameter LiP1 is higher) than the pathloss calculated for the current base station.

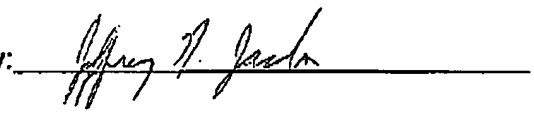
In contrast to receiving a **control** channel that MSs use to determine which cell is the most profitable for the quality of the radio connection, claim 10 recites "receiving a **dispatch call** via a first outbound link with a base site" (emphasis added). Thus, the applicants submit that '972, as cited by the Examiner, does not teach the transmission of a dispatch call by the BCCH. The same argument applies to claim 20.

Claim 10 also recites "receiving an indication of the identity of a second outbound link with an adjacent base site **on which the dispatch call can be received** and the identity of the adjacent base site" (emphasis added). In contrast, the applicants submit that '972 teaches that the knowledge as to which **BCCH transmission** of the base stations a mobile should receive is received by the mobile in a transmission of a list of the surrounding base stations. As cited, '972 does not teach indicating the identity of an outbound link on which a dispatch call can be received, since '972 describes BCCHs as control channels rather than call-bearing channels. The same argument applies to claim 20.

Since none of the references cited, either independently or in combination, teach all of the limitations of independent claims 1, 10, 16 or 20, or therefore, all the limitations of their respective dependent claims, it is asserted that neither anticipation nor a prima facie case for obviousness has been shown. No remaining grounds for rejection or objection being given, the claims in their present form are asserted to be patentable over the prior art of record and in condition for allowance. Therefore, allowance and issuance of this case is earnestly solicited.

The Examiner is invited to contact the undersigned, if such communication would advance the prosecution of the present application. Lastly, please charge any additional fees (including extension of time fees) or credit overpayment to Deposit Account No. **502117 -- Motorola, Inc.**

Respectfully submitted,
M. Needham et al.

By: 

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